

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

SSA BONDS ANTITRUST LITIGATION

1:16-cv-03711-ER

**PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT AGREEMENTS WITH
BANK OF AMERICA AND DEUTSCHE
BANK**

PLEASE TAKE NOTICE that, upon the filing of the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of Settlement Agreements with Bank of America Corporation, Bank of America, N.A., Merrill Lynch International, Bank of America Merrill Lynch International Limited, Merrill Lynch, Pierce, Fenner & Smith Incorporated (collectively, "Bank of America"), and Deutsche Bank AG and Deutsche Bank Securities Inc. (collectively, "Deutsche Bank"), as well as all papers and pleadings submitted therewith, Plaintiffs, through their undersigned counsel, hereby move this Court for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure:

- (1) preliminarily approving the Settlements¹ set forth in the Stipulations and Agreements of Settlement with Bank of America and Deutsche Bank;
- (2) preliminarily certifying the following Settlement Class for purposes of settlement only:

All persons or entities who, from January 1, 2005 to the date of the Preliminary Approval Order, entered into an SSA bond transaction with a Defendant; a direct or indirect parent, subsidiary, affiliate, or division of a Defendant; a Released Party; or an alleged co-conspirator, where such Persons were either domiciled in the United States or its territories or, if domiciled outside of the United States or its territories, entered into an SSA bond transaction in the United States or its territories or that otherwise involved United States trade or commerce. Excluded from the Settlement Class are Defendants, their co-conspirators identified herein, and their officers, directors, management, employees, current subsidiaries or affiliates, and all federal governmental entities; provided, however, that Investment Vehicles shall not be excluded from the definition of the Settlement Class;

- (3) preliminarily appointing Robbins Geller Rudman & Dowd LLP and Quinn Emanuel Urquhart & Sullivan, LLP ("Lead Counsel") as class counsel for the Settlement Class for purposes of settlement only;
- (4) preliminarily appointing Plaintiffs Sheet Metal Workers Pension Plan of Northern California, KBC Asset Management NV, and Iron Workers Pension Plan of Western Pennsylvania as class representatives for the Settlement Class for purposes of settlement only;

¹ Unless otherwise defined herein, all other capitalized terms have the same meaning as set forth in the Settlement Agreements with Bank of American and Deutsche Bank.

- (5) staying all proceedings in the Action and any other action alleging any claims released by the Settlement Agreements with respect to Released Parties; and
- (6) granting such other and further relief as the Court deems just and proper.

Respectfully submitted,

DATED: New York, New York
August 17, 2017

**ROBBINS GELLER RUDMAN &
DOWD LLP**

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

By: /s/ David W. Mitchell

By: /s/ Daniel L. Brockett

David W. Mitchell
Brian O. O'Mara
Carmen A. Medici
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: (619) 231-1058
Fax: (619) 231-7423
davidm@rgrdlaw.com
bomara@rgrdlaw.com
cmedici@rgrdlaw.com

Samuel H. Rudman
58 South Service Road, Suite 200
Melville, NY 11747
Telephone: (631) 367-7100
Fax: (631) 367-1173
srudman@rgrdlaw.com

Daniel L. Brockett
Sascha N. Rand
Steig D. Olson
Thomas J. Lepri
51 Madison Avenue, 22nd Floor
New York, New York 10010
Telephone: (212) 849-7000
Fax: (212) 849-7100
danbrockett@quinnemanuel.com
sascharand@quinnemanuel.com
steigolson@quinnemanuel.com
thomaslepri@quinnemanuel.com

Jeremy D. Andersen
Adam B. Wolfson
865 South Figueroa Street, 10th Floor
Los Angeles, California 90017
Telephone: (213) 443-3000
Fax: (213) 443-3100
jeremyandersen@quinnemanuel.com
adamwolfson@quinnemanuel.com

***Interim Co-Lead Class Counsel and Counsel
for Plaintiffs Sheet Metal Workers Pension
Plan of Northern California and Iron Workers
Pension Plan of Western Pennsylvania and the
Proposed Class***

MOTLEY RICE LLC
Michael M. Buchman

600 Third Avenue, Suite 2101
New York, NY 10016
Telephone: (212) 577-0040
Fax: (212) 577-0054
mbuchman@motleyrice.com

Ann K. Ritter
Christopher F. Moriarty
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
Telephone: (843) 216-9000
Fax: (843) 216-9450
aritter@motleyrice.com
cmoriarty@motleyrice.com

***Counsel for Plaintiff KBC Asset Management
NV and Additional Counsel for the Class***

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Daniel L. Brockett
Daniel L. Brockett
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010-1601
Telephone: 212-849-7000
Facsimile: 212-849-7100
danbrockett@quinnemanuel.com